

CITY OF PILOT ROCK
REGULAR COUNCIL MEETING
DECEMBER 7, 2010
7:00 PM

A. ROLL

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were John Standley, Nancy Lankford, Glen Snively, Michael Baleztena, and Shawna Kirk. Also present were City Recorder Jackie Carey, Chief Darren Richman, Jim Carey, Mike Nelson, and John Taylor.

B. INVOCATION

Mike Nelson gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

None

E. PRESENTATIONS

None

F-1 JUVENILE CRIME PREVENTION GRANT

On a motion by Lankford and seconded by Baleztena the Council adopted Resolution No. 521, a resolution appropriating grant funds for Juvenile Crime Prevention in the amount of \$9000. All members present voted yes.

F-2 CIS GRANT

On a motion by Standley and seconded by Baleztena the Council approved Resolution No. 522, a resolution appropriating grant funds from City County Insurance for crime prevention. All members present voted yes.

The funds will be used to replace surveillance cameras in the park and city hall.

F-3 ODOT GRANT

At the November 16, 2010, council meeting the Council approved applying for a \$25,000 grant through ODOT for repairs on East Main Street. ODOT requires that the City Council supports the application by approving a Resolution.

On a motion by Kirk and seconded by Lankford the Council approved Resolution No. 523, a resolution supporting the Special City Allotment application to repair East Main Street. All members present voted yes.

F-4 EXTEND LIVING REQUIREMENTS

The City Council approved the extension of living requirements for Greg Stallings until January 2011. Officer Stallings has his residence for sale and has not received any interest from anyone looking to purchase the property. Due to Officer Stallings not being able to sell his home, he is unable to afford to move within the required response time and an extension is requested.

Councilor Snively suggested granting an extension indefinitely. On a motion by Snively and seconded by Baleztena the Council granted an extension indefinitely with an update every 6 months and if his house sells that he moves as soon as possible. All members present voted yes,

Chief Richman is totally comfortable with this arrangement.

F-5 A T & T CELL TOWER

Councilor Snively asked if the second tower will need an easement from Mary Koch. Recorder Carey stated no. There is a utility easement that can be used by both cell towers. AT&T is asking for another easement around the US Cell tower. AT&T will have to deal with Mary Koch directly for that easement.

Snively asked if the City would allow the tower if there was no money involved. Carey stated the new tower would provide another service to our community. Snively had a concern about liability. Carey stated you limit your liability as best as you can and then have the city attorney review the lease for any liabilities.

Councilor Standley stated when the first tower was put up it was agreed that there would be one tower and other carriers would attach to that one. Standley wanted to know what the motion was to allow the cell tower in permanent open space (POS). Carey stated she would find the motion in the minutes. Carey stated the County Planning will approve the cell tower unless they get objection from a property owner, because their zoning ordinance allows utility facilities in POS with a conditional use. Carey advised she has been told by Victor Ellis that they have already talked to Mary Koch about placing a tower on her property if the City doesn't want it. However, they would rather deal with a municipality instead of individuals. Under a conditional use process the property owners receive notice and they can request a public hearing if they want to spend \$250 for the process.

Standley referred to an email from Carol Opiela from US Cellular stating they do not have any interest in allowing another carrier on their tower. Standley stated that gives the City a little more justification to allow another tower.

Carey advised she has talked to Victor Ellis, AT&T representative, about the Council's concern about interference with US Cellular. Ellis stated as per FCC regulations they cannot interfere with another carrier.

Standley's big concern is damage from installing the new tower because of the proximity of the new tower to the reservoir and US Cellular. Standley stated what the City needs to do is to have language in the lease that any damage to US Cellular or the City's Reservoir will be paid by AT&T. Standley said he was very nervous about the AT&T tower because it will be 10-15 feet from the reservoir and US Cellular.

Standley stated if someone downtown doesn't like that tower going up there because they think it is holy ground trust me there are ways they can screw things up. We need to make sure we don't set ourselves up for an appeal. Standley said it is nice to have the money but we can't let something stupid happen. There is solid rock where they want to install the tower. Standley said they would have to use hydraulic hammers to bust up that rock. Standley stated under the US Cellular tower there are miles of copper grounding gridding for electrical protection. These are questions he would like answers to.

John Taylor suggested getting iron clad statement that they relieve the City from all liability issues. Standley wants the City to be held harmless from all liability; they will pay all attorney fees, and anything to do with a public hearing process or LCDC challenges or appeals. We are going to let them do it, but we aren't going to spend a nickel doing it.

On a motion by Standley and seconded by Snively the Council decided not to request a public hearing for the AT&T cell tower process. Lankford abstained. Standley, Snively, Baleztena and Kirk voted yes. The motion passed.

F-6 HOLIDAY HOURS

Because Christmas and New Year's falls on Saturday, City Hall will be closed on Friday for both of those holidays. The past practice the Council has given the employees 1/2 a day off on Christmas Eve and New Year's Eve. Staff is requesting 1/2 a day off on December 23rd and December 30th.

Staff checked with other cities in the area to see that they were doing. The City of Pendleton will be closed both days. Athena, Heppner, Boardman, Echo and Ione will be closed half a day. Stanfield and Umatilla were unsure at the time we talked to them.

Councilor Kirk would like to see City Hall opened. Councilor Baleztena made a motion to accept the staff's holiday hour request. The motion failed due to no one seconded the motion. City Hall will be open all day on December 23rd and December 30th.

F-7 HOLIDAY GIFTS

Annually, the City Council authorizes a cash payment or "bonus" to all full time and part time employees as a Christmas gift from the City. Last year the gift was \$25 for each full time and part time employee.

On a motion by Kirk and seconded by Lankford the Council approved a holiday gift for \$25. Standley, Lankford, Baleztena and Kirk voted yes. Snively voted no.

F-8 DOMESTIC VIOLENCE PROCLAMATION

Mayor Carnes read into record a proclamation against domestic violence.

F-9 HINKLE ISSUE

Standley asked if anyone had any formal information on the Hinkle issue. Standley asked if Hinkle has been to City Hall. Carey advised she has not talked to him. Snively advised he talked to him and he wants a lot of dirt hauled in there. It is going to cost more than \$1000-\$2000. Standley stated Hinkle wants the whole canyon filled in and the way the agreement is worded, it is almost worded that way. With that in mind, Standley suggested to Tim Britain to stop process until we can get with Mr. Draper to see how best we can address this concern with Mr. Hinkle.

G-1 DEPARTMENT HEAD REPORT

Angel Williams is being cross trained with the library so she can be the backup person for the library. Susan and Cheryl will both be gone this week so she will be working in the library. The library was closed a couple of days because Susan could not get to work due to bad roads. Cheryl is limited to how many hours she can work.

City received a maintenance agreement on the new copier. Staff needs approval from the Council before they sign it. The cost is \$18.74 per month plus \$.93713 per copy. This covers all the supplies and maintenance on the machine. On a motion by Kirk and seconded by Lankford the Council approved the maintenance agreement for \$18.74 per month plus .093713 per copy. All members present voted yes.

Department Heads will be attending a supervisor training on Friday. Training is by CIS attorney Kirk Mylander at no cost.

Staff talked to Assessor Paul Chalmers, regarding the property taxes from Kinzua's lease. He is going to void the bill.

Staff and Pacific Power & Light put up the Christmas decorations.

Police Department will be doing Shop with a Cop this Friday. The police department has been working on a couple of major cases. They will start working on dismantled vehicles again.

H. CONSENT CALENDAR

Kirk made a motion to approve the Consent Calendar. The motion was seconded by Baleztena. John Taylor questioned the minutes of November 4, 2010, regarding the Kinzua Lease. Taylor thought Bill Woodfin said him and Steve Draper agreed not to use the lease. The motion passed with the correction. All members present voted yes

I. COUNCIL COMMENTS

Baleztena advised he spotted cougars on the bluff.

Standley asked what the Council is going to do if the money from A & V Investment is not received by December 20th, since this is the last council meeting of the year. The Council directed staff to send a reminder notice now of the payment due December 20th and if the payment is not received to send a default letter.

J. EXECUTIVE SESSION

No Executive Session.

K. ADJOURNMENT

On a motion by Baleztena and seconded by Kirk the meeting was adjourned at 8:20 PM. All members present voted yes.

APPROVED_____

ATTEST_____